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UNITED STATES DISTRICT COURT 1 NORTHERN DISTRICT OF CALIFORNIA, 2 3 SAN FRANCISCO DIVISION 4 5 IN RE GOOGLE PLAY STORE Case No. 3:21-md-02981-JD **ANTITRUST LITIGATION** 6 **DECLARATION OF JUSTIN P.** This Document Relates To: RAPHAEL IN SUPPORT OF 7 **DEFENDANTS' MOTION TO EXCLUDE MERITS OPINIONS** 8 In re Google Play Consumer Antitrust Litigation, Case No. 3:20-cv-05761-JD OF DR. HAL J. SINGER 9 State of Utah et al. v. Google LLC et al., Case Judge: Hon. James Donato No. 3:21-cv-05227-JD 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24 25 26 27 28

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1	I, Justin Raphael, declare as follows:
2	I am an attorney duly admitted to practice law in the State of California and before this
3	Court. I am a Partner at Munger, Tolles & Olson LLP, and represent the Defendants in this
4	action. I submit this Declaration in support of Defendants' Motion to Exclude the Merits
5	Opinions of Dr. Hal J. Singer. The contents of this declaration are based on my personal
6	knowledge, including my personal knowledge of the documents cited herein. The facts set forth
7	herein are within my personal knowledge and, if called as a witness, I could and would
8	competently testify to them.
9	Exhibit 1 is a true and correct copy of the Updated Merits Report of Hal J. Singer, Ph.D.,
10	dated October 19, 2022.
11	Exhibit 2 is a true and correct copy of the expert report of Dr. Gregory K. Leonard, dated
12	November 18, 2022.
13	Exhibit 3 is a true and correct copy of excerpts of the transcript of the deposition of Marc
14	S. Rysman, Ph.D, dated March 10, 2023.
15	Exhibit 4 is a true and correct copy of excerpts of the transcript of the deposition of Hal J
16	Singer, Ph.D., dated April 4, 2023.
17	Exhibit 5 is a true and correct copy of excerpts of the transcript of the July 19, 2022
18	hearing in this matter.
19	Exhibit 6 is a true and correct copy of the Merits Rebuttal Report Errata of Hal J. Singer,
20	Ph.D., dated January 6, 2023.
21	Exhibit 7 is a true and correct copy of excerpts of the transcript of the deposition of Hal J
22	Singer, Ph.D, dated May 12, 2022.
23	Exhibit 8 is a true and correct copy of Kenneth Train, <i>Logit</i> , in <i>Discrete Choice Methods</i>
24	with Simulation, 48 (Cambridge Univ. Press 2009), marked as Defense Exhibit 1114 at the merits
25	deposition of Dr. Singer.
26	Exhibit 9 is a true and correct copy of Daniel L. McFadden, <i>Economic Choices</i> , Nobel
27	Prize Lecture (Dec. 8, 2000), pp. 330–365, marked as Defense Exhibit 1116 at the merits
28	denosition of Dr. Singer

Case No. 3:20-cv-05671-JD

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1	Exhibit 10 is a true and correct copy of Gregory J. Werden & Luke M. Froeb, <i>The Effects</i>	
2	of Mergers in Differentiated Products Industries: Logit Demand and Merger Policy, 10 Journal of	
3	Law, Economics & Organization 407 (Oxford Univ. Press 1994).	
4	Exhibit 11 is a true and correct copy of Daniel L. McFadden, "Econometric Models of	
5	Probabilistic Choice," in Structural Analysis of Discrete Data with Econometric Applications,	
6	1981, pp. 222–223 (MIT Press, Cambridge 1981).	
7	I declare under penalty of perjury under the laws of the United States that the foregoing is	
8	true and correct.	
9	Executed on this 20 th day of April in San Francisco, California.	
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11	By: /s/ Justin P. Raphael	
12	Justin P. Raphael	
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